

ORIGINAL

DFF
clm.

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

Sukhjinder Sandher,
Petitioner,

ORDER

-vs-

CV-03-2945 (FB) (LB)

New York State, Superintendent,
Respondent.

On October 11, 2005, the petitioner filed a second amended petition after exhausting all of his claims in State Court. The second amended petition raises claims pursuant to both Title 28, U.S.C. section 2254 and Title 28, U.S.C. Section 2241. Accordingly it is

HEREBY ORDERED that the Queens District Attorney shall respond to petitioner's claims with respect to his State Court conviction. They shall serve and file their opposition by November 18, 2005. If the transcript of the trial or guilty plea are available, respondents shall submit such transcript and record to this Court at the time of filing such return and if copies of petitioner's and the District Attorney's briefs on appeal or in connection with proceedings pursuant to C.P.L. 440 are available, respondents shall submit such records to this Court at the time of filing such return.

IT IS FURTHER ORDERED that the United States Attorney shall respond to the claims with respect to the petitioner's deportation. They shall serve and file their opposition by November 18, 2005.

The clerk is directed to mail copies of this notice to all parties.

DATED: Brooklyn, New York
October 17, 2005

U.S.D.J.

cc.: Labe Richman, Esq.
ADA Merri Turk Lasky
AUSA Scott Dunn